In the
Supreme Court of the United States

October Term, 1972

No. 71-1553

JOHN J. GILLIGAN,
Governor of Ohio,
DANA L. STEWART,
Adjutant General of Ohio,
ROBERT H. CANTERBURY,
Assistant Adjutant General,
Petitioners,

v.

CRAIG MORGAN,
THOM DICKERSON,
WILLIAM SLOCUM,
Respondents.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

MEMORANDUM OF PETITIONERS SUGGESTING A QUESTION OF MOOTNESS

Petitioners believe that there is a continuing live controversy between the parties to this action. However, certain matters have occurred which may raise the question of mootness. Petitioners have been informed that it is their duty to bring these matters to the attention of the Court. Stern & Gressman, Supreme Court Practice 592 Sec. 18.2 (4th Ed. 1969).

case. Petitioners also submit that there is still a live controversy between the parties with respect to such issues. Petitioners therefore request that this Court find that this case is not moot. In the alternative, petitioners request that the portion of the judgment of the Court of Appeals which is presented for review be vacated and the case be remanded to the District Court with directions to dismiss this portion of the case as moot. See, e.g., *King* v. *Jones*, 405 U.S. 911 (1972).

Respectfully submitted,

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